

Remarks

The Examiner is thanked for a thorough review of the specification and the drawings. Corrected drawings are presented to obviate the objection to two different #76 in Figs. 5 and 6. In Figs. 5 and 6, numeral 76 formerly indicated a hole and has been replaced by numeral 77.

The specification has been amended to obviate the 35 U.S.C. § 112, first paragraph rejection. The inconsistencies related to numeral 76, as pointed out by the Examiner, have been corrected.

Claims 1-19 and 22-23 are pending in this application. Claim 1 has been amended to more clearly point out the relationship between the compartments and the dollies. Claim 6 has been amended to point out the orientation of the rollers. Claim 11 has been amended to correct a typographical error. Claim 19 has been amended to incorporate similar limitations to claims 20 and 21. Claims 20 and 21 are canceled without prejudice.

Claims 1-23 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over French Patent No. 2,631,948 to Herubel (hereinafter "Herubel") in view of U.S. Patent No. 5,224,812 to Oslin et al. (hereinafter "Oslin"), U.S. Patent No. 3,740,066 to Gieringer et al. (hereinafter "Gieringer"), U.S. Patent No. 5,320,475 to Pinder (hereinafter "Pinder"), and U.S. Patent No. 5,445,396 to Sebor (hereinafter "Sebor"). Applicants respectfully traverse this rejection for the reasons stated below.

The Examiner stated that Herubel discloses a substantially similar dolly carrier, but lacks a locking structure, a towing structure, roller guides, and stackable dollies. (Page 3 of the Office Action dated 12/30/2003). Applicants agree that Herubel lacks a locking structure, a towing structure, roller guides, and stackable dollies. Otherwise, Applicants respectfully disagree with the Examiner's characterization of Herubel.

Herubel discloses a principle trolley (or carrier) having auxiliary trolleys that can enter and leave the principle trolley on either side. "Each auxiliary trolley is attached to the principle trolley by an umbilical cord which serves as a channel for the delivery of power and information." (Translated Abstract) When in use, the auxiliary trolleys always remain connected to the principle trolley as they pick up and drop off the containers 2. The system disclosed by Herubel is an automated system having a central controller that controls the carriers using induction wires or optical bands to transmit navigational commands (Page 4, line 37 to page 5, line 4). The containers 2 are carried by the auxiliary trolley 11 to and from the principle trolley. Auxiliary trolley 11 is supported in a high position on the principle trolley by elevators 13 that engage the undercarriage 14 of the auxiliary trolley 11 (Page 5, ll. 26-29). Herubel discloses a substantially different carrier than is claimed by Applicants.

Amended claim 1 states that each dolly is configured to be **removably received** in one of the compartments so that **the dolly and its associated container may be completely removed from the frame**. In contrast, Herubel does not disclose dollies that are completely removed. Herubel does not disclose compartments that may receive interchangeable dollies. Herubel discloses that "Each auxiliary trolley is attached to the principle trolley by an umbilical cord which serves as a channel for the delivery of power and information." (Translated Abstract) The two auxiliary trolleys of Herubel are integral, attached parts of the principle trolley. As such, the auxiliary trolleys of Herubel are not removably received by the principle trolley. The principle trolley may not receive any other auxiliary trolley. Two auxiliary trolleys are attached to the principle trolley by two separate cords. Herubel fails to disclose each and every element of claim 1 and explicitly teaches away from the "removably received" and the "completely removed" elements of the claimed invention.

Dependent claim 3 claims a locking element that is a **pivoting lever** disposed adjacent the compartments that is pivoted between a locked position and an unlocked position. In contrast, Oslin discloses a recess or detent 106 "to receive the dolly wheel axle 62 when the dolly is moved to its desired transport position on the transport cart, thereby releasibly retaining the dolly in a fixed longitudinal relation on the corresponding guide track members

30a,b or 40a,b.” (Column 6, ll. 20-26) Oslin does not teach or suggest a pivoting lever disposed adjacent the compartments that is pivoted between a locked position and an unlocked position. Claim 3 is not obvious and is patentable over Herubel and Oslin because neither Herubel nor Oslin alone or in combination teach or suggest the combination that is the focus of claim 3.

Dependent claim 4 claims an actuator engaged by the dolly that shifts the locking element to the locked position when the dolly is inserted into the compartment. Dependent claim 5 claims a manual actuator provided on the frame for shifting the locking element between the locked and unlocked positions. In contrast, Oslin discloses a recess or detent 106 “to receive the dolly wheel axle 62 when the dolly is moved to its desired transport position on the transport cart, thereby releasibly retaining the dolly in a fixed longitudinal relation on the corresponding guide track members 30a,b or 40a,b.” (Column 6, ll. 20-26) Oslin does not teach or suggest an actuator engaged by the dolly that shifts the locking element to the locked position when the dolly is inserted into the compartment. Oslin does not teach or suggest a manual actuator provided on the frame for shifting the locking element between the locked and unlocked positions. Claims 4 and 5 are not obvious and are patentable over Herubel and Oslin because neither Herubel nor Oslin alone or in combination teach or suggest the combination that is the focus of claims 4 and 5.

Amended claim 8 states that the guide elements are rollers having an axis of rotation extending in a direction from the front end to the back end and being secured to the frame. Pinder discloses the use of roller guides. However, Pinder does not teach or suggest rollers **having an axis of rotation extending in a direction from the front end to the back end** and being secured to the frame. Amended claim 8 is not obvious and is patentable over Herubel and Pinder because neither Herubel nor Pinder alone or in combination teach or suggest the combination that is the focus of claim 8.

Claim 9 states that each of the dollies are formed of polymeric material and have **hard inserts that engage the guide elements**. None of the references cited by the Examiner

teach or suggest dollies that are formed of polymeric material and have hard inserts that engage the guide elements. Claim 9 is not obvious and is patentable over the cited art because none of the cited references alone or in combination teach or suggest the combination that is the focus of claim 9.

Claim 11 states that each of the dollies has a platform deck comprising an upper surface that is supported by a honeycomb body. None of the references cited by the Examiner teach or suggest dollies having a platform deck comprising an upper surface that is supported by a honeycomb body. Claim 11 is not obvious and is patentable over the cited art because none of the cited references alone or in combination teach or suggest the combination that is the focus of claim 11.

Independent claim 12 states a method involving **loading a first set of wheeled platforms** loaded with a plurality of parts onto the trailers from the side and later **loading a second set of empty wheeled platforms** onto the side of the trailers one at a time to replace the first set of wheeled platforms. Herubel fails to disclose a carrier that is capable of accepting both **a first set and a second set** of wheeled platforms. The second set of empty wheeled platforms **replaces** the first set. In the invention of Herubel, two auxiliary trolleys are attached to the principle trolley by two separate cords. Herubel fails to disclose each and every element of claim 12 and explicitly teaches away from a carrier that can **replace a first set of wheeled platforms with a second set of wheeled platforms**.

Independent claim 12 is to a motorized truck having a towing adapter and a plurality of trailers having wheels that are provided with a towing hook and a hook receiver. Independent claim 19 is to a production line part stocking trailer assembly rack with a towing adapter at one end for attachment to a tow motor truck or another rack. Herubel fails to disclose or suggest a motorized truck having a towing adapter and a plurality of trailers having wheels that are provided with a towing hook and a hook receiver. Herubel fails to disclose or suggest a production line part stocking trailer assembly rack having a towing adapter at one end for attachment to a tow motor truck or another rack. The Examiner's proposed

combination of Gieringer and Herubel to modify the invention disclosed by Herubel to include a towing structure at both ends of the carrier is an improper hindsight reconstruction. The Examiner's rejection fails to identify any suggestion or motivation in the references to combine Gieringer with Herubel. Gieringer discloses a pallet wagon for sod pick-up to be pulled through a field alongside a pick-up. The principle trolley disclosed by Herubel is self-propelled and is computer controlled by a central controller. The invention disclosed by Herubel is a self-propelled trolley that would have no use for a motorized truck with a towing adapter or a towing structure at both ends of the carrier. Applying a motorized truck with a towing adapter to the trolley of Herubel would not allow the central controller to keep track of the location of the self-propelled principle trolley, as disclosed by Herubel. The motorized truck with a towing adapter of Gieringer would render Herubel unsuitable for its intended purpose.

Herubel and Gieringer are non analogous art. Gieringer is related to sod farming and is not reasonably pertinent to the particular problem with which Applicants are concerned. Applicants' invention relates to assembly line part stocking and does not pertain to farm equipment. Herubel is related to an automatic lifting and handling system for heavy loads, such as in a postal department.

The Examiner has suggested combining Oslin with Herubel to achieve a locking structure for a dolly. The Examiner's proposed combination of five references does not identify any suggestion in any of the references for making any of such combinations. Herubel places a container 2 on an automated auxiliary trolley 11, which moves the container 2 under the principle trolley 1. The auxiliary trolley 11 and the container 2 are then automatically elevated by elevators 13, which also guide the wheels of container 2 (see Figs. 2, 3). The weight of container 2 on carriage 12, when elevated, and the automated nature of Herubel, make a locking structure completely unnecessary. In fact, a locking structure would hinder the automatic operation of the invention disclosed by Herubel.

Amended claim 19 claims a dolly have a locking mechanism for selectively locking the rack and dolly together when the dolly is carried by the rack, the locking mechanism being automatically engaged to lock the dolly into the rack. As amended, the claim states that the **locking mechanism partially spans the side opening**. In contrast, Oslin discloses a recess or detent 106 "to receive the dolly wheel axle 62 when the dolly is moved to its desired transport position on the transport cart." (Column 6, ll. 20-23) Oslin does not teach or suggest a locking mechanism that partially spans the side opening. Claim 19 is not obvious and is patentable over Herubel and Oslin because neither Herubel nor Oslin alone or in combination teach or suggest the combination that is the focus of claim 19.

The Examiner has suggested combining Pinder with Herubel to achieve roller guides. The Examiner's proposed combination of five references does not identify any suggestion in any of the references for making any of such combinations. In Herubel, the elevators 13 guide the wheels of container 2 (see Figs. 2, 3). The invention disclosed by Herubel has no need for roller guides.

The Examiner has suggested combining Sebor with Herubel to achieve stackable dollies. The Examiner's proposed combination of five references does not identify any suggestion in any of the references for making any of such combinations. Herubel does not disclose a stackable dolly. Attempting to make the attached, automatic auxiliary trolley 11 stackable would not only be without purpose, but would render Herubel unsuitable for its intended purpose as there would no longer be enough room for container 2. Moving the heavy container 2 is the focus of Herubel.

Claim 22 claims supporting members that are a plurality of rollers disposed on each edge of the side opening that are engaged by cooperative portions of the dolly that ride upon the rollers as the dolly is inserted and removed through the side opening. None of the references cited by the Examiner teach or suggest supporting members that are a plurality of rollers disposed on each edge of the side opening that are engaged by cooperative portions of the dolly that ride upon the rollers as the dolly is inserted and removed through the side

opening. Claim 22 is not obvious and is patentable over the cited art because none of the cited references alone or in combination teach or suggest the combination that is the focus of claim 22.

Based on the foregoing remarks, Applicants believe that independent claims 1, 12, and 19 are patentable over Herubel in view of Oslin, Gieringer, Pinder, and Sebor. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of these claims under 35 U.S.C. § 103(a).

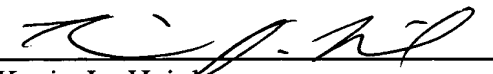
Claims 2-11, 13-18, and 20-23 depend from independent claims 1, 12, and 19 and contain additional patentable subject matter, as previously outlined. Therefore, claims 2-11, 13-18, and 22-23 are likewise believed to be patentable over Herubel in view of Oslin, Gieringer, Pinder, and Sebor. Reconsideration and withdrawal of the rejection of these claims under 35 U.S.C. § 103(a) is also respectfully requested.

Conclusion

In summary, Applicants believe that the claims meet all formal and substantive requirements and that the case is in appropriate condition for allowance. The Examiner is respectfully requested to telephone Applicants' attorney if it would advance the prosecution of this case or would be helpful to resolve any further questions.

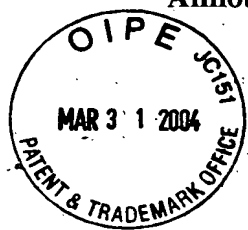
No new claims have been added. As such, no additional fee is believed to be due. Please charge any additional fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978. Applicants request reconsideration of this case in view of the above amendments that are intended to place this case in condition for allowance. The Examiner is respectfully requested to pass this case to issue.

Respectfully submitted,
ANTHONY RIORDAN

By 
Kevin J. Heim
Reg. No. 29,805
Attorney/Agent for Applicant

Date: 3/29/04

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400
Fax: 248-358-3351



3/4

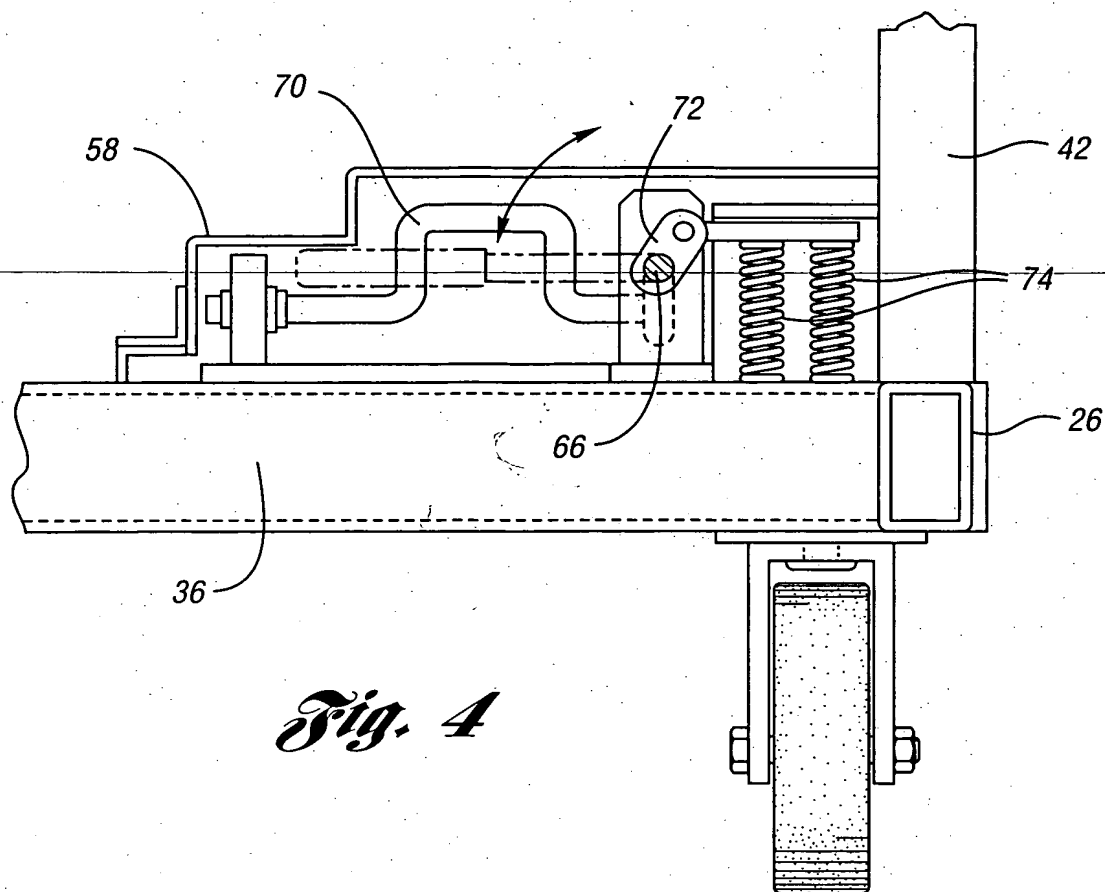


Fig. 4

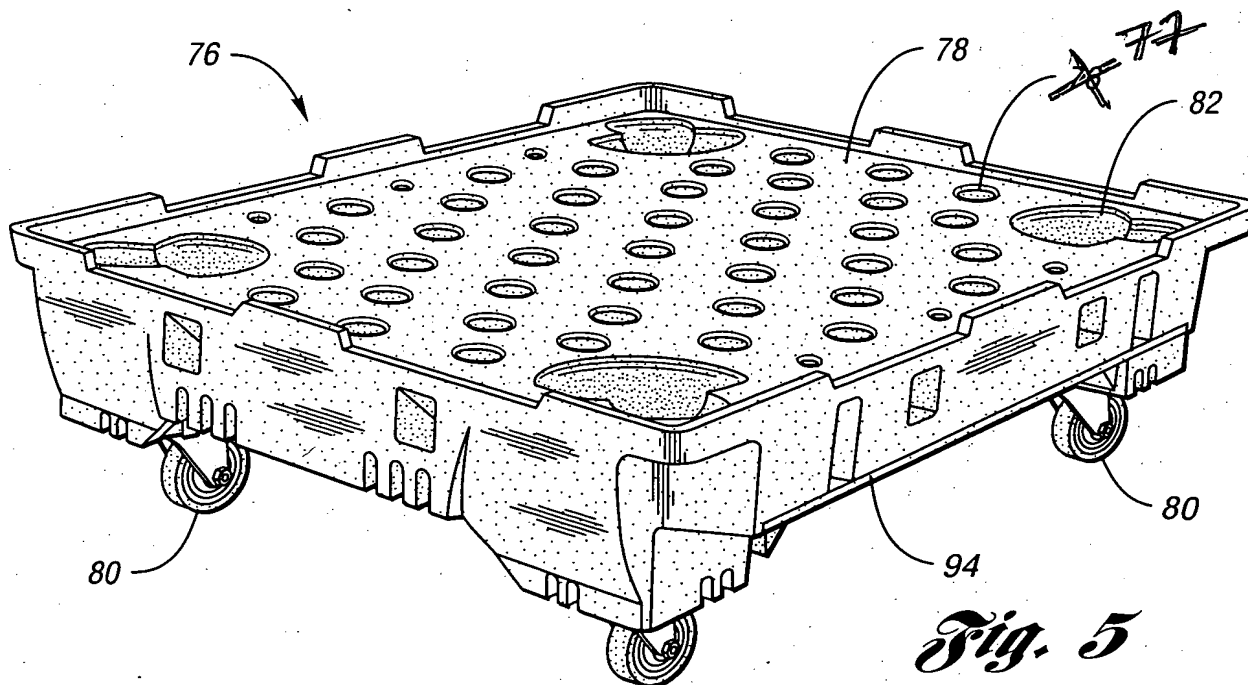


Fig. 5

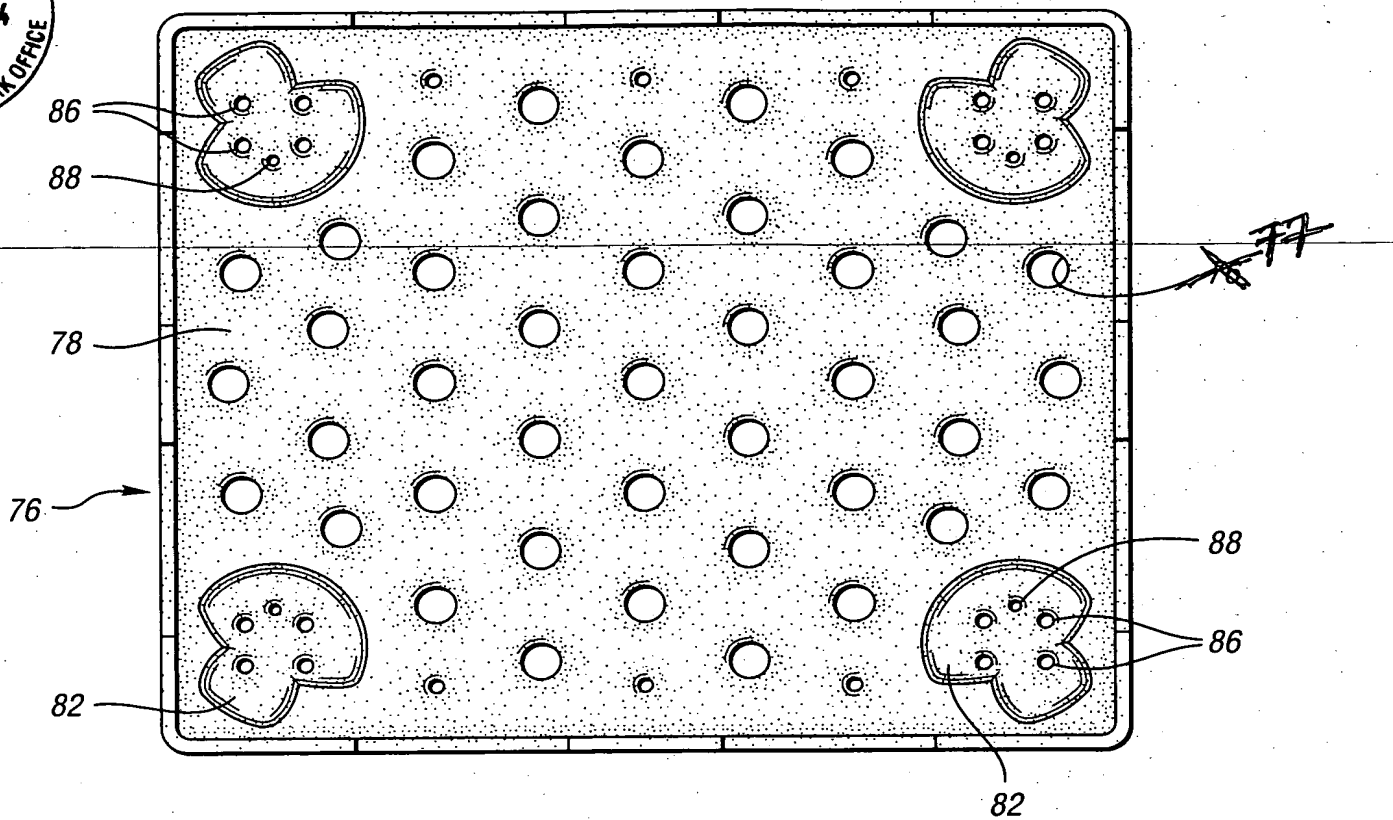


Fig. 6

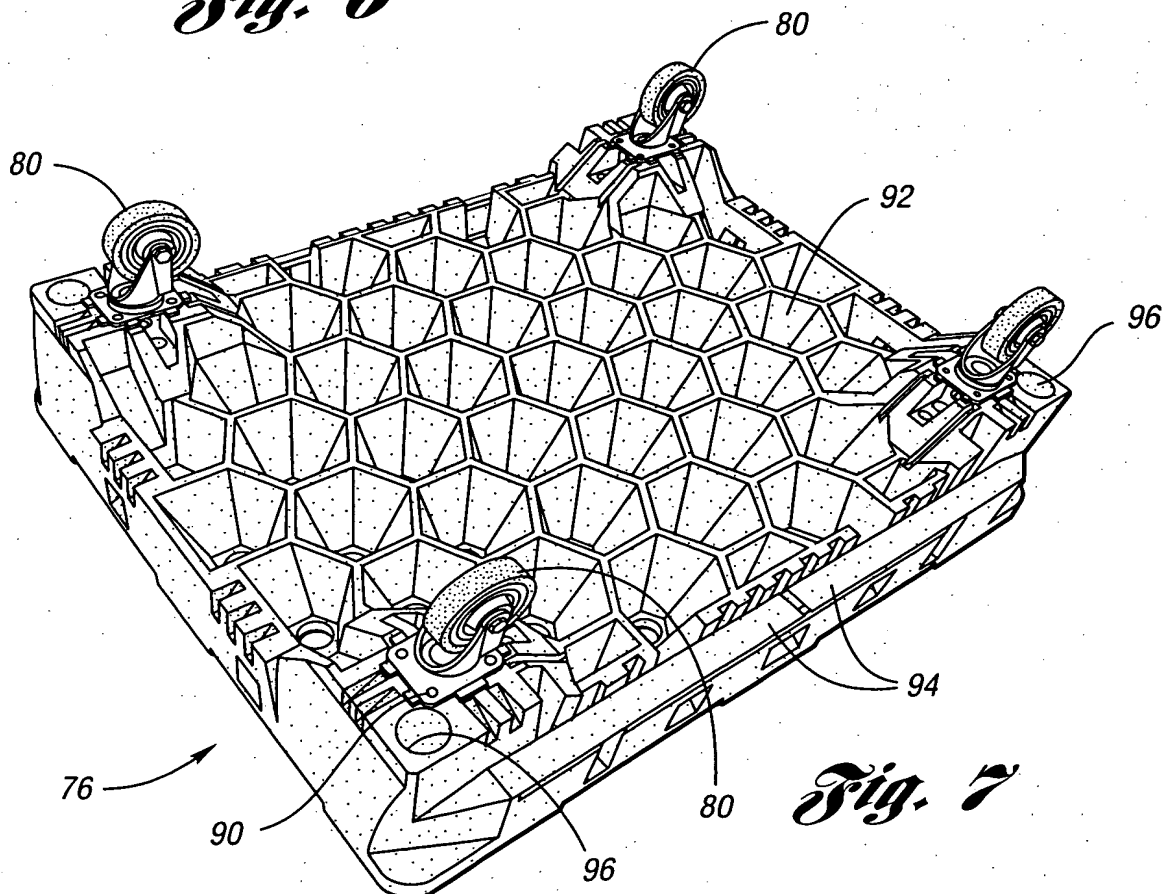


Fig. 7